

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

RP2553/2009

against
EMPLOYER

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr K. Buckley

Members: Mr. P. Casey
Mr J. Flavin

heard this appeal at Cork on 29th July 2010

Representation:

Appellant:

The appellant in person

Respondent:

Mr. Mortimer Kelleher, Barry Turnbull & Co., Solicitors,
33/34 Washington Street West, Cork

The decision of the Tribunal was as follows:-

Appellant's case

The appellant stated that the respondent had underpaid him in respect of a redundancy lump sum. The appellant commenced employment on 1st August 2002 and was made redundant on 19th December 2008. His gross pay at the time of termination of employment was €400.00 per week. The respondent paid him €3,600.00 as a redundancy lump sum. However the appellant calculated his statutory entitlement as more than that.

Respondent's case

The representative for the respondent had no evidence to offer in relation to the case and had no objection to the appellant's position. He also agreed that the dates of employment and rate of pay given by the appellant are correct.

Determination

The Tribunal awards the appellant a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria but less €3,600.00 already paid by the respondent.

DOB	4 th January 1939
Commencement Date	1 st August 2002
Date notice received	2 nd December 2008
Termination date	19 th December 2008
Gross pay	€400.00 per week

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

It should be noted that any payment made from the Social Insurance Fund is subject to maximum earnings of €600.00 per week

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

